

# In the Supreme Court of the State of Idaho

IN RE: AMENDMENT OF IDAHO  
RULE OF CIVIL PROCEDURE  
(I.R.C.P.) 6(c)(6)

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**ORDER**

The Court having reviewed a recommendation by the Idaho Child Support Guidelines Committee to amend Rule 6(c)(6) of the Idaho Rules of Civil Procedure, and the Court having reviewed the proposed amendment, and having approved it;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Idaho Rules of Civil Procedure, as they appear in the volume published by the Idaho Code Commission be, and they are hereby, amended as follows:

1. That a Rule 6(c)(6) be, and the same is hereby, amended to read as follows:

**Rule 6(c)(6). Child Support Guidelines.**

Pursuant to Section 32-706A, Idaho Code, the Idaho Child Support Guidelines (I.C.S.G.) adopted by the Supreme Court are as follows:

## IDAHO CHILD SUPPORT GUIDELINES

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**Section 6. Guidelines Income Determination--Income Defined.** For purposes of these Guidelines, Guidelines Income shall include: (a) the gross income of the parents and (b) if applicable, fringe benefits and/or potential income; less adjustments as set forth in Section 7.

**(a) Gross Income Defined.**

**(1) Gross income.**

(i) Gross income includes income from any source, and includes, but is not limited to, income from salaries, wages, commissions, bonuses, dividends, pensions, interest, trust income, annuities, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, alimony, maintenance,

any veteran's benefits received, education grants, scholarships, other financial aid and disability and retirement payments to or on behalf of a child. If benefits are being paid to a child on behalf of a disabled or retired parent and are received by the parent entitled to support, and if credit against a support obligation is being given pursuant to section 8(e)(1), the amount of the disability payments to the child will be added to the income of the disabled or retired parent. The court may consider when and for what duration the receipt of funds from gifts, prizes, net proceeds from property sales, severance pay, and judgments will be considered as available for child support. Benefits received from public assistance programs for the parent shall be included except in cases of extraordinary hardship. Child support received is assumed to be spent on the child and is not income to the parent. Payments received as a result of the child's disability are not income of either parent.


IT IS FURTHER ORDERED, that this order shall be effective immediately.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rule by lining through them is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through shall not be considered a part of the permanent Idaho Rules of Civil Procedure.


IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 3 day of January, 2011.

By Order of the Supreme Court

  
Daniel T. Eismann  
Chief Justice

ATTEST:

  
Stephen W. Kenyon, Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the order entered in the above entitled cause and now on record in my office.  
WITNESS my hand and the Seal of this Court 1/4/11

STEPHEN W. KENYON  
Clerk

By:  Deputy